REMARKS

Foreign Priority

Please note that a certified copy of the prior foreign application was filed with the USPTO on April 13, 2000. A copy of the return postcard is attached hereto.

Rejection under 35 U.S.C. §112

Claims 6, 9-24 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 4, 6, 9, 12, 13, 14, 15, 17, and 20-23 have been amended for clarity. Claims 2, 3, 10, 11, 18 and 19 have been cancelled without prejudice. Since the independent claims 1, 9 and 17 have been amended, claims 6 and 12-16 and 20-24 are believed to be clarified by the amendment of their respective independent claims as well as by the additional amendments indicated above.

Thus, claims 1, 4-9, 12-17 and 20-24 are now submitted to be in allowable form under 35 U.S.C. §112, second paragraph.

Rejection under 35 U.S.C. §103

Claims 1-4, 8-12, 16-20, and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Smith et al. (USPN 6,119,137).

It is respectfully submitted that Smith et al. discloses a document delivery server that dynamically customizes (e.g., translates from text to image) the format of a document to be delivered based on the capabilities of the recipient and the type of document to be delivered.

However, Smith et al. does not teach or suggest that "it is judged that a sentence text-displayable based on text data on the basis of a character code system used at a destination of an electronic mail including the sentence, and image data of the sentence is formed and transmitted when it is judged that the sentence cannot be displayed on the basis of the character code system used at the destination" as described in claims 1, 9 and 17.

Smith et al. discloses that applications supported by a PC are considered, and based on a result of the consideration, the document is translated to image data and transmitted to the recipient. However, Smith et al. does not suggest and teach that the character code system used in text-display is considered to be the same as the capabilities of a PC.

According to the present invention, even if a character code system is 1 byte code system used at the destination of the electronic mail, and the character code system cannot text-display a sentence based on a 2 bytes character code system, the recipient of the electronic mail can read the sentence represented by an image included in the electronic mail.

Further, it is respectfully submitted that Smith et al. does not teach and suggest the further features of claims 6, 14 and 22.

Conclusion

In accordance with the foregoing, claims 1, 4, 6, 9, 12, 13, 14, 15, 17, and 20-23 have been amended. Claims 2, 3, 10, 11, 18 and 19 have been cancelled. Claims 1, 4-9, 12-17 and 20-24 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,
STAAS & HALSEY LLP

Date: _Dec. 12, 2003_   By: _____

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